

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF  
NORTH CAROLINA

MISC. NO. 3:13 mc 136

IN RE: ALLOCATION OF COURTROOMS AND OTHER RESOURCES IN THE  
CHARLOTTE AND ASHEVILLE DIVISIONS

ORDER

With the adoption of the new case assignment order for the Charlotte and Asheville Divisions, the Court now has cases in both of those Divisions assigned to more than one judge. Since the Court does not have courtrooms available to dedicate a courtroom to the exclusive use of each judge, and because of other resource allocation issues, it is in the interest of the Court and the judges that there be a clear common understanding with regard to a protocol for the allocation of the Court's courtrooms and other resources and to provide the Clerk of this Court with adequate direction to facilitate such allocations.

IT IS THEREFORE ORDERED that the Clerk is directed to administer the docket and the allocation of courtrooms in accord with the following:

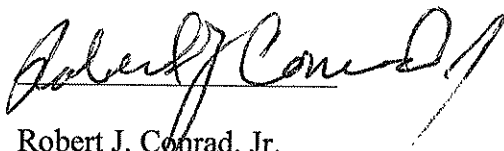
In the Charlotte Division, proceedings shall be scheduled for Courtrooms 1 and 2 (Courtroom 2 being the Potter Courtroom) in the following order of priority:

1. Criminal jury trials;
2. Sentencing hearings and Supervised Release violation hearings;
3. Other criminal proceedings which the defendant is entitled to attend;
4. Civil jury trials;
5. All other matters and proceedings.

In the rare circumstances where two different proceedings having the same level of priority (as set out above) would otherwise be scheduled for the same courtroom on the same day, ***priority shall go to the case assigned to the judge whose commission was first issued.***

In the Asheville Division, the civil cases shall be set for trial in terms (including mixed terms) without regard to the judge to whom the case(s) are assigned. The judges shall share the courtroom and jury pools for such concurrent civil terms and shall cooperate to select multiple juries "back-to-back" in order to best utilize the jurors and courtroom time. Criminal matters would still have priority over any civil matters. In those rare concurrent civil terms where more than one civil case remains for trial and those cases are assigned to different judges, the judges agree to alternate as to who should proceed first, unless they agree to some other arrangement for a particular term.

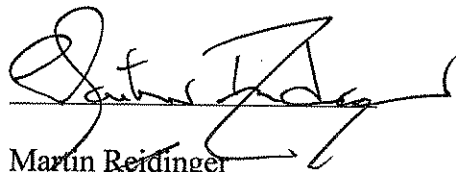
SO ORDERED, this 20<sup>th</sup> day of August, 2013.



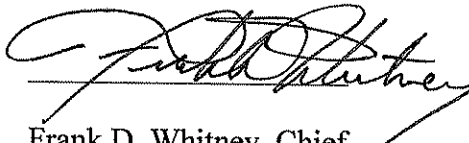
Robert J. Conrad, Jr.  
United States District Court Judge



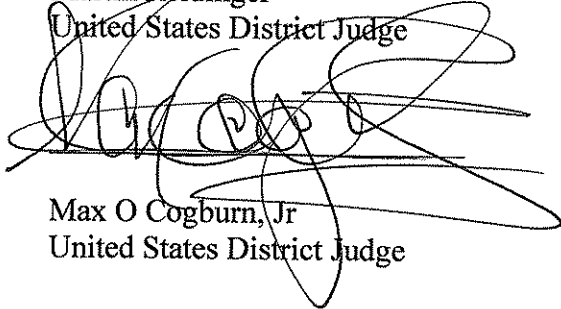
Richard L. Voorhees  
United States District Judge



Martin Reidinger  
United States District Judge



Frank D. Whitney, Chief  
United States District Judge



Max O. Cogburn, Jr.  
United States District Judge



Graham C. Mullen, Senior  
United States District Judge